

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

TORRANCE ROYSTER,

Civil No. 05-947 (RHK/AJB)

Plaintiff,

v.

ORDER

ANDREW DARLING, STEVEN HANSMANN,
JOAN FABIAN, JOSHUA BURDINE,
ROBERT BRUBER, MICHELL RIORDAN,
KEVIN BYER, Ofc. BREWER,
ROBERT STELLE, Sgt. DAVIS,
Sgt. McCARTY, ROBERT FENEIS and
ERIK SKON,

Defendants.

The above-entitled matter came before the Court upon the Report and Recommendation of United States Magistrate Judge Arthur J. Boylan. No objections have been filed to that Report and Recommendation in the time period permitted, and the Report and Recommendation will therefore be adopted.

Plaintiff recently filed a motion seeking leave to amend his complaint in this matter, which was accompanied by four separate proposed amended pleadings. (Docket No. 7.) Plaintiff's motion to amend will be denied, because his proposed amendment does not comply with Local Rule 15.1. That Rule requires that "[a]ny amendment to a pleading, whether filed as a matter of course or upon a motion to amend, must, except by leave of Court, reproduce the entire pleading as amended, and may not incorporate any prior pleading by reference." (Emphasis added.) Plaintiff has not submitted a single, unified amended complaint that sets forth all of his legal claims, and supporting factual allegations, against

all of the named Defendants, as Local Rule 15.1 clearly requires. Plaintiff's motion to amend will therefore be denied.¹

Based upon the foregoing, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Magistrate Judge's Report and Recommendation, (Docket No. 4), is **ADOPTED**;
2. Plaintiff's claims against Defendants Joan Fabian, Michell Riordan, Ofc. Brewer, Robert Stelle, Sgt. Davis, Sgt. McCarty, Robert Feneis, and Erik Skon are dismissed pursuant to 28 U.S.C. § 1915A(b);
3. Plaintiff's claims against the other Defendants named in his complaint can proceed at this time, without prejudice to any defenses those Defendants may later seek to raise; and
4. Plaintiff's motion to amend, (Docket No. 7), is **DENIED**.

Dated: June 16, 2005

s/Richard H. Kyle
RICHARD H. KYLE
United States District Court Judge

¹ It further appears that Plaintiff's proposed amended pleadings are substantively inadequate, because he has alleged no facts that would support an actionable civil rights claim against any of the Defendants identified in those pleadings. In other words, he has not described any acts or omissions by those Defendants that violated his federal constitutional rights.